

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SHERWIN COOPERSTEIN, BY)	
ALICE COOPERSTEIN, POA, AND)	
ALICE COOPERSTEIN,)	
Plaintiff)	CIVIL ACTION
)	NO. 04-12099 GAO
v.)	
)	
ROBERT M. DAVIS, M.D. AND)	
CAPE COD HEALTH CARE, INC.,)	
Defendants)	

**MOTION OF THE DEFENDANTS, ROBERT M. DAVIS, M.D. AND CAPE COD
HEALTH CARE, INC. TO TRANSFER THE
CLAIMS AGAINST THEM TO MASSACHUSETTS SUPERIOR COURT FOR THE
PURPOSE OF CONVENING A MEDICAL MALPRACTICE TRIBUNAL**

Now comes the defendants, Robert M. Davis, M.D. and Cape Cod Health Care, Inc. and hereby move pursuant to M.G.L. c. 231, §60B, that the claims against them be transferred to Massachusetts Superior Court for the purpose of convening of a medical malpractice tribunal.

The Defendants,
Robert M. Davis, M.D. and Cape Cod Health
Care, Inc.
By his attorneys,

/s/ Edward T. Hinchey
Edward T. Hinchey, BBO #235090
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Boston, Massachusetts 02108
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CERTIFICATE OF SERVICE

I, Edward T. Hinchey, Esq., hereby certify that I have caused to be served a copy of the foregoing document, upon the following counsel:

Joshua Tropper, Esq.
Gambrell & Stolz, LLP
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Atlanta, GA 30308

/s/ Edward T. Hinchey
EDWARD T. HINCHEY

Dated: April 12, 2005

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